

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X
CCM PATHFINDER POMPAÑO BAY, LLC,	:
	INDEX NO. 08 CIV 5258
Plaintiff,	:
	INDEX NO. 08 CIV 5297
	INDEX NO. 08 CIV 5298
-against-	:
	<b><u>DECLARATION OF SELBY JESSUP IN</u></b>
COMPASS FINANCIAL PARTNERS LLC	:
and COMPASS USA SPE LLC,	:
	<b><u>SUPPORT OF OPPOSITION OF</u></b>
	<b><u>PLAINTIFFS TO DEFENDANTS'</u></b>
Defendant.	:
	<b><u>MOTION FOR ORDER</u></b>
	<b><u>TRANSFERRING VENUE TO NEVADA</u></b>
-----	:
AND RELATED ACTIONS	:
-----	X

I, Selby Jessup, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a paralegal with DLA Piper US LLP, counsel of record for plaintiffs CCM Pathfinder Pompano Bay, LLC and CCM Pathfinder Gramercy, LLC ("Plaintiffs"). I have personal knowledge of the facts set forth herein and if called and sworn as a witness, I could and would testify competently thereto.

2. Attached hereto as Exhibit "A" is a true and correct copy of Compass Partners' website at [www.compass-partners.net](http://www.compass-partners.net). According to the screenshots, Compass Partners states that they "...focus on acquiring the following commercial real-estate backed loans: --Sub & Nonperforming Loans".

3. Attached hereto as Exhibit "B" is a true and correct copy of the screenshots of Minutes of Proceedings – Hearing re Emergency Request for Continuance/Stay held on June 25, 2008, entered July 2, 2008 in United States District Court, District for Nevada Case No. 2:07-cv-00892-RCJ-GWF. The order states in the fifth paragraph:

“Further ORDERED the Standstill Agreement shall remain in force and effect as discussed by the parties.”

4. Attached hereto as Exhibit “C” is a true and correct copy of the screenshots of Compass Partners’ website at [www.compass-partners.net](http://www.compass-partners.net). According to the screenshots, Mr. David Blatt is “a Founder and Partner of Compass Partners LLC,” and Compass Partners LLC is located at 333 Seventh Avenue, Third Floor, New York, NY 10001. Compass Partners’ website further states that:

Mr. Blatt earned his Bachelors in Business Management from Yeshiva University, JD from Cardozo School of Law, MBA from Zicklin School of Business, Baruch College, and his Masters in Negotiation & Dispute Resolution from Pepperdine University School of Law. He is licensed to practice law in New York, New Jersey and California.

5. Based on the information that Mr. Blatt attended Cardozo School of Law and is licensed to practice law in New York, I accessed Mr. Blatt’s records in New York State Unified Court System website at <http://iapps.courts.state.ny.us/attorney/AttorneySearch>, which identified Mr. Blatt’s telephone number as (212) 677-5740. A true and correct copy of the screenshot from the New York State Unified Court System website is attached hereto as Exhibit “D.” I searched the LEXIS database using Mr. Blatt’s name as a search term and narrowing the results using the telephone number and found that Mr. Blatt’s residence is located on Grand Street in New York, New York. A true and correct copy of the redacted LEXIS report is attached hereto as Exhibit “E.” I have redacted the address number and other information in the LEXIS report out of consideration for Mr. Blatt’s privacy. I am prepared to submit an unredacted report if directed by the Court.

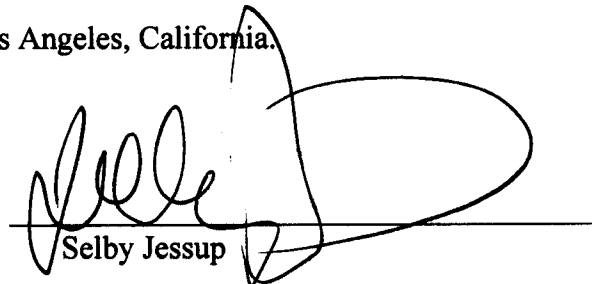
6. Attached hereto as Exhibit “C” is a true and correct copy of the screenshots of Compass Partners’ website at [www.compass-partners.net](http://www.compass-partners.net). According to the screenshots, Mr.

Cade Liu is "a Senior Associate with Compass Partners LLC," and Compass Partners LLC is located at 333 Seventh Avenue, Third Floor, New York, NY 10001. I searched the LEXIS database using Mr. Liu's name as a search term and found that Mr. Liu's residence is located on Prince Street in New York, New York. A true and correct copy of the redacted LEXIS report is attached hereto as Exhibit "F." I have redacted the address number and other information in the LEXIS report out of consideration for Mr. Liu's privacy. I am prepared to submit an unredacted report if directed by the Court.

7. Attached hereto as Exhibit "C" is a true and correct copy of the screenshots of Compass Partners' website at [www.compass-partners.net](http://www.compass-partners.net). According to the screenshots, Mr. Boris Pishkun is "a Founder and Partner of Compass Partners LLC," and Compass Partners LLC is located at 333 Seventh Avenue, Third Floor, New York, NY 10001. I searched the LEXIS database using Mr. Pishkun's name as a search term and found that Mr. Pishkun's residence is located on Elston Road in Montclair, New Jersey. A true and correct copy of the redacted LEXIS report is attached hereto as Exhibit "G." I have redacted the address number and other information in the LEXIS report out of consideration for Mr. Pishkun's privacy. I am prepared to submit an unredacted report if directed by the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 20th day of June 2008 in Los Angeles, California.



Selby Jessup

## **Exhibit A**

[COMPANY  
OVERVIEW](#)[OUR  
TEAM](#)[OUR  
PORTFOLIO](#)[PRESS](#)[CONTACT US](#)

## COMPASS PARTNERS, LLC

Compass Partners LLC is a private equity firm that acquires and services distressed commercial mortgages throughout the country. Compass Partners analysis of any investment opportunity is supported by rigorous due diligence and a focus on value. The company has a full-time dedicated team responsible for monitoring the strategic, operational, and financial performance of its portfolio investments. It is this regimented, value-oriented approach that serves investors well, even in a distressed environment over the holding period of an investment.

Compass Partners reach is national and all asset classes are considered, including multifamily, office/retail, hospitality/senior care facilities, and gas station/convenience stores. The company seeks to deploy over \$100 million annually to acquire these assets, which are purchased either individually or in pools. We source them from a wide variety of institutions, including banks, thrifts, mortgage companies, broker/dealers, insurance companies and credit unions.

We focus on acquiring the following commercial real-estate backed loans:

--Sub & Nonperforming Loans

--Bankruptcy, Environmental & Foreclosure Situations

--DSCR Deficient Loans

--Investor & Securitization Kick-outs

Compass Partners conducts its own due diligence and deal underwriting and the principals are involved in all acquisitions. Moreover, we place the highest significance on confidentiality and discretion and understand a lenders interest in quiet transactions. As a result, our clients reap the benefits of competitive pricing, a consistent and quick due diligence process and funding reliability.

© 2006 All Rights Reserved COMPASS PARTNERS LLC - 333 Seventh Avenue, 3rd Floor, New York, NY 10001

## **Exhibit B**

06/25/2008	604	<p>MINUTES OF PROCEEDINGS - Hearing re Emergency Request for Continuance/Stay held on 6/25/2008 before Judge Robert C. Jones. Crtrm Administrator: <i>K. Goetsch</i>; Appearing Counsel: <i>Richard Mainland (plaintiffs)</i>; <i>Stanley Parry (plaintiffs)</i>; <i>Randolph Howard (Silar)</i>; <i>Robert Moore (Compass)</i>; <i>Terry Coffing (Receiver)</i>; <i>Janet Chubb (direct lenders)</i> ; Court Reporter/FTR #: <i>D. Saavedra</i>; Time of Hearing: <i>10:02am</i>; Courtroom: <i>7D</i>; Also present in the courtroom is Tom Grimmitt, Receiver.</p> <p>Discussion is held between the Court and counsel with respect to the status of settlement following a settlement conference conducted by Judge Nakagawa, and the oral request for continuance, pending finalization of the settlement, of the "Termination Hearings" currently scheduled to commence 8/12/2008.</p> <p>ORDERED the "Termination Hearings" are stayed for a period of 70 days, to be reset by order of the Court.</p> <p>Further ORDERED discovery with respect to the "Termination Hearings" is stayed in conjunction with the stay of the hearings. Upon expiration of the stay, a further stipulated discovery plan shall be submitted for Court approval.</p> <p>Further ORDERED the Standstill Agreement shall remain in force and effect as discussed by the parties. An amended Standstill Agreement shall be submitted for Court approval.</p> <p>Further ORDERED the request for leave to amend the complaint will be GRANTED. The Court directs the filing of the amended complaint with an appropriate motion for permission to file same. A hearing date for approval of the motion for permission to file the amended complaint will be scheduled to coincide with the hearing which shall be set for conditional certification of the class. A proposed order scheduling the hearings and any related deadlines shall be submitted concurrently with the related motions.</p> <p>An oral request is made by counsel that the 598 Proposed Order submitted following the 6/2/2008 hearing not be executed by the Court pending submission of an amended order. The Court agrees.</p> <p>Counsel shall prepare and submit a proposed order encompassing the Court's rulings. Submission of Proposed Order due by 7/9/2008. <b>(no image attached)</b> (Copies have been distributed pursuant to the NEF - KXG) (Entered: 07/02/2008)</p>
------------	-----	--

## **Exhibit C**





**COMPANY  
OVERVIEW**

**OUR  
TEAM**

**OUR  
PORTFOLIO**

**PRESS**

**CONTACT US**

**333 SEVENTH AVENUE  
THIRD FLOOR  
NEW YORK, NEW YORK 10001**

**DIRECT 212 494 9094 | FAX 917 591 8353**

© 2006 All Rights Reserved COMPASS PARTNERS LLC - 333 Seventh Avenue, 3rd Floor, New York, NY 10001



[COMPANY  
OVERVIEW](#)

[OUR  
TEAM](#)

[OUR  
PORTFOLIO](#)

[PRESS](#)

[CONTACT US](#)

## OUR TEAM

**DAVID BLATT**, Esq. MBA, MA is a Founder and Partner of Compass Partners LLC. Mr. Blatt has six years experience of acquiring and asset managing financially and environmentally distressed real estate and mortgages. Prior to founding Compass Partners LLC, Mr. Blatt ran a private equity firm for three years that focused on acquiring investment real estate in the Northeast Region. Prior to that he worked for three years as an acquisitions and asset manager at Flatiron Real Estate Advisors, LLC, a real estate acquisitions firm of environmentally and financially distressed assets.

Mr. Blatt earned his Bachelors in Business Management from Yeshiva University, JD from Cardozo School of Law, MBA from Zicklin School of Business, Baruch College, and his Masters in Negotiation & Dispute Resolution from Pepperdine University School of Law. He is licensed to practice law in New York, New Jersey and California.

**BORIS PISKUN** is a Founder and Partner of Compass Partners LLC. Prior to founding Compass Partners LLC, Mr. Piskun was a founding principal of The Sunset Group LLC (TSG), a tax lien and distressed mortgage acquisition firm. While at TSG, he acquired those assets for over four years delivering outstanding returns to the company and its investors. Prior to founding The Sunset Group LLC, Mr. Piskun worked for four years as a trader at SG Cowens Syndicated Loan Sales and Trading desk.

Mr. Piskun earned his Bachelors in History from Columbia University and holds Series 7, 55, and 63 securities licenses. Upon completing Columbia, Mr. Piskun was drafted to play professional basketball overseas for Maccabi Raanana of the Israeli First Division. During his tenure, the team competed for the Israeli Championship title two years in a row, as well as competed in the FIBA EuroCup against the top teams in Europe.

**Cade Liu** is a Senior Associate with Compass Partners LLC. Prior to joining Compass Partners, Mr. Liu worked as a Transaction Manager in the Real Estate Finance Group at CIBC World Markets, where he underwrote and closed \$170 million of CMBS transactions, including first mortgages, B-notes, and mezzanine loans.

Mr. Liu earned his BS in Civil Engineering from Duke University and his MBA from Columbia Business School.

## **Exhibit D**

Welcome

Attorney  
Search

Resources

Attorney  
Registration

E-Courts

Contact Us



## *Attorney Detail*

*as of 06/20/2008*

**Registration Number:** 4079786

**DAVID BLATT**

BLATT HOLDINGS, LLC

333 7TH AVE FL 3RD

NEW YORK, NY 10001-5004

United States

(212) 677-5740

**Year Admitted in NY:** 2002

**Appellate Division**

**Department of**

**Admission:** 1

**Law School:** BENJAMIN N. CARDOZO

**Registration Status:** Currently registered

**Next Registration:** Apr 2010

The Detail Report above contains information that has been provided by the attorney listed, with the exception of REGISTRATION STATUS, which is generated from the OCA database. Every effort is made to insure the information in the database is accurate and up-to-date.

The good standing of an attorney and/or any information regarding disciplinary actions must be confirmed with the appropriate Appellate Division Department. Information on how to contact the **Appellate Divisions** of the Supreme Court in New York is available at [www.nycourts.gov/courts](http://www.nycourts.gov/courts).

If the name of the attorney you are searching for does not appear, please try again with a different spelling. In addition, please be advised that attorneys listed in this database are listed by the name that corresponds to their name in the Appellate Division Admissions file. There are attorneys who currently use a name that differs from the name under which they were admitted. If you need additional information, please contact the NYS Office of Court Administration, Attorney Registration Unit at 212-428-2800.

## **Exhibit E**

DPPA - I. Litigation  
GLBA - I. Fraud Prevention or Detection

**Phone**

This data is for informational purposes only.

Name:	BLATT, DAVID
Address:	GRAND ST NEW YORK, NY 10002
Phone:	(212) 677-5740

## **Exhibit F**

FOR INFORMATIONAL PURPOSES ONLY  
Copyright 2008 LexisNexis  
a division of Reed Elsevier Inc. All Rights Reserved.

**Full Name**  
LIU, CADE

**Address**  
PRINCE ST  
NEW YORK, NY 10012-

**County**  
NEW YORK

**Phone**  
None Listed



## **Exhibit G**

FOR INFORMATIONAL PURPOSES ONLY  
Copyright 2008 LexisNexis  
a division of Reed Elsevier Inc. All Rights Reserved.

<b>Full Name</b>	<b>Address</b>	<b>County</b>	<b>Phone</b>
PISKUN, BORIS MICHAEL	ELSTON RD MONTCLAIR, NJ 07043	ESSEX	None Listed

Send To: JESSUP, SELBY  
DLA PIPER US LLP  
1999 AVENUE OF THE STARS  
LOS ANGELES, CA 90069-3309